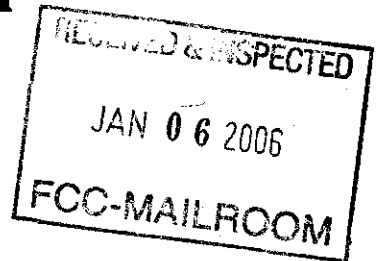


CGB-CC-0332

# McCullough Law Firm

P.O. Box 251963  
Little Rock, AR 72225-1963  
(501) 376-4111 / FAX (501) 376-4333

R.S. McCullough  
ATTORNEY AT LAW



December 30, 2005

Commission's Secretary  
Office of the Secretary  
Federal Communications Comm.  
Attention: CGB Room 3-B431  
455 12<sup>th</sup> Street, SW  
Washington, DC 20554

RE: Broadway Joe Video Show (Joe/Freddie Booker)

Dear Secretary:

Please note that we represent the above referenced persons and show. Please note the attached petition/affidavit submitted in this matter for waiver from the provisions for closed captioning. In addition to the items stated in the petition/affidavit, the show in question should be deemed exempt from the closed captioning provisions. The same would put an undue service and cost burden on the show, the same is locally produced and only 'travels' in-state, the show airs from 1:00 a.m to 2:00 a.m. (c.s.t.) and only airs only once a week, late night Saturday, early Sunday morning (depending upon one's practical view), there is no repeat value to the show and it is non-news.

If you require any additional information or the like, feel free to contact us. Thank you for your cordiality and assistance.

Sincerely,

A handwritten signature in black ink, appearing to be "R.S. McCullough", written over a horizontal line.

R.S. MCCULLOUGH

RSMC/dc

cc: Joe/Freddie Booker; KASN-Chcuk Spoon-c/o Kara  
genltr

STATE OF ARKANSAS)  
 )  
COUNTY OF PULASKI)

PETITION/AFFIDAVIT FOR WAIVER OR EXEMPTION

CLOSED CAPTIONING

I, JOE BOOKER AKA BROADWAY JOE do make and state the following under oath:

1. That I am the creator and producer of the Broadway Joe Video Show. The same runs at 1:00 a.m central standard time and only runs for one (1) hour. The show has no repeat value and is not a news show. The show airs late night Saturday, for all practical purposes.

2. The show only runs in a local in-state market and does not produce any gross profits or revenues. In recent times, most years the show has produced about \$20,000 but only nearly breaks even at the year's end, though sometimes we are in a negative status. It would cost me about \$15,000 to relate to closed captioning for this early morning once weekly show. A closed captioning requirement would cause an end to the presentation of the show.

3. The show is a non-profit production and relates to a very small rural demographic group. Even the use of

bullet-points boards would so burden this production so as to render the same unmarketable in its non-profit status.

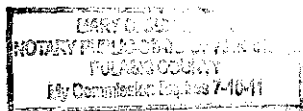
4. I request that the indicated show be deemed exempt from the requirements of closed captioning.

5. I have not been threatened, coerced or intimidated into arriving at the above statement.

Joe Booker  
Joe Booker/Broadway Joe

12/30/05  
Date

SUBSCRIBED AND SWORN to before me this 30<sup>th</sup> day of  
December,  
2005.



Mary C. Culpepper  
Notary Public

7-10-11  
Commission Expires

(seal)

affidavi

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COUNTY OF PULASKI)

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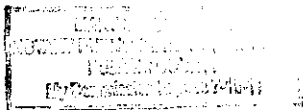
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